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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

E-FILED - 8/4/05*

10 UNITED STATES OF AMERICA,) No. CR 05-00344-RMW
11)
12 Plaintiff,)
13 v.)
14 JUAN IBARRA-ALVAREZ,)
15 Defendant.)

16

**STIPULATION AND
ORDER TO CONTINUE STATUS DATE**

16 Assistant United States Attorney Susan Knight and defendant, Juan Ibarra-Alvarez,
17 through his counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree
18 that the status date in the above-captioned matter, presently scheduled for Monday, July 25,
19 2005, should be continued to Monday, August 22, 2005 at 9:00 a.m.

20 The parties stipulate and agree that the July 25 date should be continued because defense
21 counsel would like to have time to review immigration hearing tapes to determine if there are any
22 motions that can be filed in this case. Defense counsel has not yet received these tapes.
23 Government counsel has ordered the tapes and expects to receive them within the next week or
24 two.

25 The parties further stipulate and agree that under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv),
26 the ends of justice served by the continuance requested outweigh the best interest of the
defendant and public in a speedy trial because the failure to grant such a continuance would

1 unreasonably deny Mr. Ibarra the time necessary for effective preparation, taking into account the
2 exercise of due diligence.

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4 Dated: July 20, 2005

5 ANGELA M. HANSEN
Assistant Federal Public Defender

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7 Dated: July 20, 2005

8 SUSAN KNIGHT
Assistant United States Attorney

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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 SAN JOSE DIVISION
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16 UNITED STATES OF AMERICA,) No. CR 05-00344 RMW
17 Plaintiff,)
18 v.) **ORDER CONTINUING
19 STATUS DATE AND EXCLUDING
20 TIME**
21 JUAN IBARRA-ALVAREZ,)
22 Defendant.)
23
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25 The parties have jointly requested to continue the status date set for July 25, 2005 to
26 August 22, 2005 at 9:00 a.m. so that defense counsel can have additional time to investigate and
27 prepare Mr. Ibarra's case.

28 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date presently
29 set for July 25, 2005 be continued to Monday, August 22, 2005 at 9:00 a.m. Pursuant to the
30 parties' stipulation, IT IS FURTHER ORDERED that the period of time from July 25, 2005
31 through and including August 22, 2005, shall be excluded from the period of time within which
32 trial must commence under the Speedy Trial Act, 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv).
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35 Dated: August 4, 2005

36 /s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

1 Distribute to:

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6 Susan Knight
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